

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In Re:

Monica Sheree Thompson,

Debtor(s).

Chapter 13

Case No. 19-11997-JDW

☐ Check if this is an
amended notice.

Notice of Filing Chapter 13 Plan and Motions for Valuation and Lien Avoidance

The above-named Debtor(s) has filed a *Chapter 13 Plan and Motions for Valuation and Lien Avoidance* (the "Plan") with the Bankruptcy Court in the above-referenced case (see attachment).

Any objection to confirmation of the Plan or the motions contained therein shall be filed in writing with the Clerk of Court at 703 Hwy. 145 North, Aberdeen, MS 39730 on or before July 25, 2019. Copies of the objection must be served on the Trustee, US Trustee, Debtor(s), and Attorney for Debtor(s).

Objections to confirmation will be heard and confirmation determined on August 13, 2019, at 1:30 p.m., at the Oxford Federal Building, 911 Jackson Avenue, Oxford, MS 38655, unless the court orders otherwise. If no objection is timely filed, the Plan may be confirmed without a hearing.

/s/ Jimmy E. McElroy

Dated: May 16, 2019

Jimmy E. McElroy
Attorney for Debtor(s)
3780 S. Mendenhall
Memphis, Tennessee 38115
(901) 363-7283
Fax (901) 794-4335
mcelroylawms@hotmail.com

CERTIFICATE OF SERVICE

I, Jimmy E. McElroy, attorney for Debtor(s), do hereby certify that by filing that attached Notice and Chapter 13 Plan, I have caused the following parties to be served electronically via ECF:

Locke D. Barkley, Chapter 13 Trustee
Office of the U.S. Trustee

I certify that on this day served a true and correct copy of the attached Notice and Chapter 13 Plan by U.S. mail, ¹ postage prepaid, to the following creditor(s) listed in Sections 3.2 and/or 3.4 of the Plan pursuant to Fed. R. Bankr. P. 7404:

I further certify that I have this day served a true and correct copy of the Notice and Chapter Plan by U.S. mail, postage prepaid, to all other parties listed on the attached master mailing list (matrix).

DATED: May 16, 2019

/s/ Jimmy E. McElroy
Attorney for Debtor(s)
3780 S. Mendenhall
Memphis, Tennessee 38115
(901) 363-7283
Fax (901) 794-4335

¹ If the creditor is an insured depository institution, service made by certified mail.

Label Matrix for local noticing
0537-1
Case 19-11997-JDW
Northern District of Mississippi
Aberdeen
Thu May 16 10:10:56 CDT 2019

AT&T Wireless
P.O. Box 755
Atwater, CA 95301-0755

Auto Credit to ADF Automotive
815 City Ave. Street
Sarah, MS 38665

Bank Plus
385 A. Highland Colony Pkwy
Suite 110
Ridgeland, MS 39157-6040

Baptist Health
P.O. Box 23090
Jackson, MS 39225-3090

Locke D. Barkley
6360 I-55 North
Suite 140
Jackson, MS 39211-2038

Dish Network
P.O. Box 9033
Littleton, CO 80160-9033

Ditech
P.O. Box 6172
Rapid City, SD 57709-6172

First Premier
P.O. Box 5529
Sioux Falls, SD 57117-5529

Case
North
Aber
First South Bank
369 South Byhalia Road
Collierville, TN 38017-9393

Holly Springs Utility
1050 MS-4
Holly Springs, MS 38635

Independent Bank
5050 Poplar St.
Memphis, TN 38157-0110

Snit
Ridg
Jimmy E. McElroy
3780 S. Mendenhall
Memphis, TN 38115-0886

Methodist
P.O. Box 2279
Memphis, TN 38101-2279

Money Matter
161 D W. Van Dore
Holly Springs, MS 38635-2903

Progressive Leasing
256 West Data Drive
Draper, UT 84020-2315

Speedee Cash
204 E 16th Ave.
Cordele, GA 31015-1622

Suntrust
P.O. Box 305053
Nashville, TN 37230-5053

Monica Sheree Thompson
71 Gray's Drive
Lamar, MS 38642-7139

U. S. Trustee
501 East Court Street, Suite 6-430
Jackson, MS 39201-5022

Viasat / Exede
349 Inverness Drive South
Englewood, CO 80112-5882

End of Label Matrix
Mailable recipients 20
Bypassed recipients 0
Total 20

Fill in this information to identify your case:

Debtor 1 Monica Sheree Thompson
Full Name (First, Middle, Last)

Debtor 2
(Spouse, if filing) _____
Full Name (First, Middle, Last)

United States Bankruptcy Court for the NORTHERN DISTRICT OF MISSISSIPPI

Case number: 19-11997
(If known)

☐ Check if this is an amended plan, and list below the sections of the plan that have been changed.

Chapter 13 Plan and Motions for Valuation and Lien Avoidance

12/17

Part 1: Notices

To Debtors: This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable. The treatment of ALL secured and priority debts must be provided for in this plan.

In the following notice to creditors, you must check each box that applies

To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation on or before the objection deadline announced in Part 9 of the Notice of Chapter 13 Bankruptcy Case (Official Form 3091). The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015.

The plan does not allow claims. Creditors must file a proof of claim to be paid under any plan that may be confirmed.

The following matters may be of particular importance. Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 8.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

Part 2: Plan Payments and Length of Plan

2.1 Length of Plan.

The plan period shall be for a period of 60 months, not to be less than 36 months or less than 60 months for above median income debtor(s). If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

2.2 Debtor(s) will make payments to the trustee as follows:

Debtor shall pay \$1,110.00 (☒ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the court, an Order directing payment shall be issued to the debtor's employer at the following address:

ACH-First South Credit Union

Debtor Monica Sheree Thompson Case number _____

Joint Debtor shall pay _____ (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the court, an Order directing payment shall be issued to the joint debtor's employer at the following address:

2.3 Income tax returns/refunds.

Check all that apply

- ☒ Debtor(s) will retain any exempt income tax refunds received during the plan term.
- ☐ Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all non-exempt income tax refunds received during the plan term.
- ☐ Debtor(s) will treat income refunds as follows:

2.4 Additional payments.

Check one.

- ☒ None. If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

Part 3: Treatment of Secured Claims

3.1 Mortgages. (Except mortgages to be crammed down under 11 U.S.C. § 1322(c)(2) and identified in § 3.2 herein.).

Check all that apply.

- ☐ None. If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

3.1(a) Principal Residence Mortgages: All long term secured debt which is to be maintained and cured under the plan pursuant to 11 U.S.C. § 1322(b)(5) shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor, subject to the start date for the continuing monthly mortgage payment proposed herein.

1 Mtg pmts to Ditech
Beginning August 2019 @ \$780.00 ☒ Plan ☐ Direct. Includes escrow ☒ Yes ☐ No

1 Mtg arrears to Ditech Through July 2019 \$208.00

3.1(b) ☐ **Non-Principal Residence Mortgages:** All long term secured debt which is to be maintained and cured under the plan pursuant to 11 U.S.C. § 1322(b)(5) shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor, subject to the start date for the continuing monthly mortgage payment proposed herein.

Property **-NONE-**
address: _____

Mtg pmts to _____
Beginning month @ _____ Plan Direct. Includes escrow Yes No

Property **-NONE-** Mtg arrears to _____ Through month _____

3.1(c) ☐ **Mortgage claims to be paid in full over the plan term:** Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor.

Creditor: **-NONE-** Approx. amt. due: _____ Int. Rate*: _____

Property Address: _____
Principal Balance to be paid with interest at the rate above: _____
(as stated in Part 2 of the Mortgage Proof of Claim Attachment)
Portion of claim to be paid without interest: \$ _____
(Equal to Total Debt less Principal Balance)

Special claim for taxes/insurance: \$ -NONE- /month, beginning month.
(as stated in Part 4 of the Mortgage Proof of Claim Attachment)

Debtor Monica Sheree Thompson Case number _____

* Unless otherwise ordered by the court, the interest rate shall be the current Till rate in this District
Insert additional claims as needed.

3.2 Motion for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one..

☒ **None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

☒ **None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

3.4 Motion to avoid lien pursuant to 11 U.S.C. § 522.

Check one.

☒ **None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

3.5 Surrender of collateral.

Check one.

☒ **None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

Part 4: Treatment of Fees and Priority Claims

4.1 General

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

4.2 Trustee's fees

Trustee's fees are governed by statute and may change during the course of the case.

4.3 Attorney's fees.

☒ No look fee: 3,600.00

Total attorney fee charged: \$3,600.00

Attorney fee previously paid: \$274.00

Attorney fee to be paid in plan per confirmation order: \$3,326.00

☐ Hourly fee: \$_____. (Subject to approval of Fee Application.)

4.4 Priority claims other than attorney's fees and those treated in § 4.5.

Check one.

☒ **None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

4.5 Domestic support obligations.

☒ **None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

Part 5: Treatment of Nonpriority Unsecured Claims

5.1 Nonpriority unsecured claims not separately classified.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. Check all that apply.

☒ The sum of \$ 0.00

Debtor Monica Sheree Thompson Case number _____

- ☐ _____% of the total amount of these claims, an estimated payment of \$_____
- ☐ The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$0.00.
Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

5.2 Other separately classified nonpriority unsecured claims (special claimants). Check one.

- ☒ **None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

Part 6: Executory Contracts and Unexpired Leases**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.
- ☒ **Assumed items.** Current installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Description of leased property or executory contract	Current installment payment	Amount of arrearage to be paid	Treatment of arrearage
American Car Center	2015 Dodge Dart	\$472.00	\$0.00	
Disbursed by:				
<input type="checkbox"/> Trustee				
<input checked="" type="checkbox"/> Debtor(s)				

Insert additional contracts or leases as needed.

Part 7: Vesting of Property of the Estate**7.1 Property of the estate will vest in the debtor(s) upon entry of discharge.****Part 8: Nonstandard Plan Provisions****8.1 Check "None" or List Nonstandard Plan Provisions**

- ☐ **None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.
- Upon the filing of a Notice of Postpetition Mortgage Fees, Expenses, and Charges, and absent any objection being filed within 30 days after the filing of said Notice, the Trustee is authorized to pay the amount contained in the Notice as a special claim over the remaining plan term and adjust the plan payment accordingly.

Part 9: Signatures:**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

The Debtor(s) and attorney for the Debtor(s), if any, must sign below. If the Debtor(s) do not have an attorney, the Debtor(s) must provide their complete address and telephone number.

X _____ X _____
Monica Sheree Thompson Signature of Debtor 2
 Signature of Debtor 1
 Executed on May 13, 2019 Executed on _____
71 Gray's Drive Address _____
 Address _____
Lamar MS 38642-0000 Address _____

Fill in this information to identify your case:

Debtor 1 Monica Sheree Thompson
Full Name (First, Middle, Last)

Debtor 2 _____
(Spouse, if filing) Full Name (First, Middle, Last)

United States Bankruptcy Court for the NORTHERN DISTRICT OF
MISSISSIPPI

Case number: _____
(If known)

☐ Check if this is an amended plan, and list below the sections of the plan that have been changed.

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Part 9: Signatures:**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

The Debtor(s) and attorney for the Debtor(s), if any, must sign below. If the Debtor(s) do not have an attorney, the Debtor(s) must provide their complete address and telephone number.

X Monica Sheree Thompson
Monica Sheree Thompson
Signature of Debtor 1

X _____
Signature of Debtor 2

Executed on May 13, 2019

Executed on _____

71 Gray's Drive

Address

Lamar MS 38642-0000

City, State, and Zip Code

Telephone Number

Address

City, State, and Zip Code

Telephone Number

X _____
Jimmy E. McElroy #2540
Signature of Attorney for Debtor(s)
3780 S. Mendenhall
Memphis, TN 38115
Address, City, State, and Zip Code
901-363-7283
Telephone Number
jimmy_3780@hotmail.com
Email Address

Date May 13, 2019

#2540 MS

MS Bar Number